

OCT 26 2005

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October 26, 2005

To: U.S. Patent and Trademark Office
 Attn: Examiner Deborah D. Williams (703-308-9140 ext. 205)
 Office P/PCT - Office of PCT Operations

Fax No. 571-273-8300

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Docket No. 59621.US / 0910.2

Date: OCTOBER 26, 2005

Application No. 10/509,568

Filing Date: 09-29-2004

Applicant(s): John Kenneth Bingham et al.

Title: A METHOD OF MANUFACTURE OF AN
 AUTOMOBILE STRUCTURE AND AN AUTOMOBILE
 STRUCTURE MADE BY THE METHOD

Enclosures:

1. PETITION UNDER RULE 1.47(a) including a Certificate of Facsimile Transmission (2 pages)
2. Petition for Extension of Time Under 37 CFR 1.136(a) (1 page in duplicate)
3. Declaration for Patent Application (2 pages)
4. Declaration of A.W. Pluckrose (1 page)
5. Declaration of Clive Alexander Card (1 page)

COMMISSIONER FOR PATENTS

Please acknowledge receipt of the above-identified documents by applying the USPTO receipt stamp hereto and mailing this card.

LUEDEKA, NEELY & GRAHAM, P.C.

ROF/mse

cc: Docketing

RECEIVED
CENTRAL FAX CENTEROCT 26 2005 PATENT
Docket No.59621.USIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John Kenneth Bingham, et al.

Serial No.: 10/509,568

Filed: September 29, 2004

For: A METHOD OF MANUFACTURE OF AN AUTOMOBILE
STRUCTURE AND AN AUTOMOBILE STRUCTURE MADE
BY THE METHOD

Confirmation No.: 9584

Examiner: Deborah D. Williams (703) 308-9140 ext. 205
Office P/PCT Office of PCT OperationsPETITION UNDER RULE 1.47(a)Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition is submitted in response to the Notice to File Missing Parts in the above-referenced case dated April 29, 2005. The Notice indicates that the oath/declaration of the inventors is missing and also requires payment of a \$130 surcharge.

Applicants hereby petition for a four month extension of time and request that the fee for the extension (\$1590.00) along with the other fees due with respect to this paper, i.e. the petition fee set forth in Rule 1.17 (h) (\$130.00) and the Missing Parts surcharge (\$130.00), along with any other fees which may be due, be charged to Deposit Account No. 12-2355.

There are three joint inventors in this case: John Bingham, Robert McQuire, and John Sampson. Two of the inventors, Robert McQuire and John Sampson, have each executed an inventor's declaration. A copy of the declaration is provided herewith. The remaining inventor has refused to execute an inventor's declaration. The signature block of such inventor is blank on the attached declaration.

Application No. 10/509,568
Docket No. 59621.US / 0910.2

Accordingly, the present petition under Rule 1.47(a) requests that the signing joint inventors be allowed to proceed on behalf of themselves and the other joint inventor:

The pertinent facts supporting this Petition and documenting the refusal to sign the inventor's declaration are set forth in the accompanying declarations of A. W. Pluckrose and Clive Card.

The last known address of Mr. Bingham is 5 Turner Close, Wymondham, Norfolk NR18 0NP GB.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By:

RO
Robert O. Fox
Registration No. 34,165

October 26, 2005
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F:\59621\59621.us.temp.2005.10.26.Petition under Rule 147(a).wpd

*** CERTIFICATE OF FACSIMILE ***

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent Office, Attn: Examiner Deborah D. Williams, Office of PCT Operations, Fax No. 571-273-8300 on the date shown below.

on October 26, 2005

RO
Robert O. Fox, Reg No. 34,165

10/31/2005 GFREY1 00000112 122355 10509568

02 FC:1464 130.00 DA
03 FC:1617 130.00 DA

PATENT
Docket no.59621.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John Kenneth Bingham, et al
 Serial No: 10/509,568
 Filed: September 29, 2004
 For: A METHOD OF MANUFACTURE OF AN AUTOMOBILE
 STRUCTURE AND AN AUTOMOBILE STRUCTURE
 MADE BY THIS METHOD
 Confirmation No: 9584
 Examiner: Deborah D. Williams

DECLARATION OF A. W. PLUCKROSE

I, Anthony William Pluckrose, declare as follows:

- 1) My name is Anthony William Pluckrose. I am over the age of 18 and make this declaration based on personal knowledge. I am an attorney in the United Kingdom representing Lotus Cars Limited in connection with this application
- 2) This Declaration concerns the refusal of Mr. Bingham to sign a declaration of inventorship for the above application.
- 3) The last address of Mr. Bingham known to me is 5 Turner Close, Wymondham, Norfolk, NR18 0NP, GB.
- 4) On or about January 4, 2005, I sent a copy of the application papers including a declaration of inventorship to Mr. Bingham at the above address and requested his signature.
- 5) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the present application, This document, or any patent issued from the present application.


Anthony William Pluckrose

Date: 26 October 2005

67357; AWP; CTF

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27 DEC 2005

Legal Staff
International Division

PATENT
Docket No. 59621.USIN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
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OCT 26 2005

Applicants: John Kenneth Bingham, et al.

Serial No.: 10/509,568

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STRUCTURE AND AN AUTOMOBILE STRUCTURE MADE
BY THE METHOD

Confirmation No. 9584

Examiner: Deborah D. Williams

DECLARATION OF CLIVE ALEXANDER CARD

I, Clive Alexander Card, declare as follows:

- 1) My name is Clive Alexander Card. I am over the age of 18 and make this declaration based on personal knowledge. This Declaration concerns the refusal of Mr. Bingham to sign a declaration of inventorship for the above application.
- 2) I am employed by Lotus Cars Limited. Mr. Bingham is a former employee of Lotus Cars Limited. The last address of Mr. Bingham known to me is 5 Turner Close, Wymondham, Norfolk NR18 0NP GB.
- 3) I understand that A. W. Pluckrose, an attorney representing Lotus Cars Limited in connection with this application, sent a copy of the application papers including a declaration of inventorship to Mr. Bingham at the above address and requested his signature. I subsequently telephoned Mr. Bingham on about 2nd May 2005 at the number listed for his address and asked him to sign and return the declaration. Mr. Bingham informed me on the telephone that he refused to sign the declaration. He further informed me that he was unhappy with the monies paid to him as part of his termination from Lotus Cars Limited and would not co-operate unless he received additional payment.
- 4) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the present application, this document, or any patent issued from the present application.

Date: 21/10/2005

Clive Alexander Card

59621.us/10/26/2005,10:18:01p,Declaration.Doc